



United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 11, 2021

VIA ECF

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: United States v. Jona Rechnitz,
16 Cr. 389 (AKH)**

Dear Judge Hellerstein:

The Government writes in response to the August 3, 2021 letter submitted to the Court by email by Matthew Russell Lee of Inner City Press requesting that the Court unseal a letter submitted by the Government *ex parte* and under seal to which defense counsel referred during the proceedings on August 3, 2021. The Government has submitted *ex parte* and sealed correspondence with the Court concerning an ongoing investigation by the Federal Bureau of Investigation ("FBI") in Los Angeles and the U.S. Attorney's Office for the Central District of California for conduct unrelated to the defendant's prosecution or cooperation in this District (the "California Investigation"). Because the Government understands that the California Investigation is ongoing, the Government respectfully submits that the correspondence should remain under seal. *See United States v. Smith*, 985 F. Supp. 2d 506, 531 (S.D.N.Y. 2013) ("As a general proposition, courts have repeatedly recognized that materials, including even judicial documents which are presumptively accessible, can be kept from the public if their dissemination might 'adversely affect law enforcement interests.'") (*citing United States v. Amodio*, 71 F.3d 1044, 1050 (2d Cir. 1995)); *see also United States v. Park*, 619 F. Supp. 2d 89, 94 (S.D.N.Y. 2009) (holding that the need to "maintain the secrecy of the Government's investigation" outweighed the public's right of access to certain sentencing documents).

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

by: /s/
Lara Pomerantz
Assistant United States Attorney

cc: Counsel of record (by ECF)
Matthew Russell Lee, Inner City Press (by email)